

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

F & D INTERNATIONAL TRADING INC.

Vs.

NO. 03-12547-RCL

ADELWALE ADEBAYO,
d/b/a BISBAY HOLDINGS INTERNATIONAL

and

FLEET NATIONAL BANK, as Trustee

AFFIDAVIT OF MARK A. WHITE

Now comes Mark A. White who after being duly sworn states as follows:

1. I am the attorney for the plaintiff, F & D International Trading, Inc., in the above-entitled matter.
2. On May 19, 2004, I received Conditional Order of Dismissal, copy of which is attached.
3. That Order indicates that a Scheduling Conference was scheduled for May 12, 2004, at 2:00 p.m.
4. I did not receive notice of this hearing from the court.

SIGNED under the pains and penalties of perjury this 19th day of May, 2004.




Mark A. White

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS

May 19, 2004

Then personally appeared the above-named Mark A. White and acknowledged the foregoing to be true, before me.


Notary Public

My Commission expires: 6/11/10

CERTIFICATE OF SERVICE

I, Mark A. White, attorney for the plaintiff, hereby certify that on May 19, 2004, a copy of the within Affidavit was served on the defendant by mailing a copy hereof, postage prepaid to Adelwale Adebayo, 17A Keayne Street, Revere, Mass.

A handwritten signature in black ink, appearing to read 'Mark A. White', written over a horizontal line.

Mark A. White

UNITED STATES DISTRICT COURT
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F & D INTERNATIONAL TRADING INC.

V.

CIVIL ACTION NO. 03-12547-RCL

ADELWALE ADEBAYO

CONDITIONAL ORDER OF DISMISSAL

LINDSAY, D.J.

A Scheduling Conference having been scheduled for May 12, 2004 at 2:00PM and counsel for the plaintiff having failed to appear; it is hereby ORDERED:

Case will be DISMISSED 10 days from the date of this order unless counsel for the plaintiff notifies the court, in writing, as to why this case should not be dismissed.

/s/ Lisa M. Hourihan

May 13, 2004

Deputy Clerk